

Samuel Maida (SBN 333835)
HAUSFELD LLP
600 Montgomery Street, Suite
3200 San Francisco, CA 94111
Tel: 415-633-1908
Fax: 415-358-4980
Email: smaida@hausfeld.com

Manuel J. Dominguez (*pro hac vice*)
COHEN MILSTEIN SELLERS &
TOLL PLLC
11780 U.S. Highway One, Suite N500
Palm Beach Gardens, FL 33408
Tel: 561-515-2604
Fax: 561-515-1401
Email: jdominguez@cohenmilstein.com

Jeffrey L. Spector (*pro hac vice*)
SPECTOR ROSEMAN & KODROFF, P.C.
2001 Market Street, Suite 3420
Philadelphia, PA 19103
Tel: 215-496-0300
Fax: 215-496-6611
Email: jspector@srkattorneys.com

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: DA VINCI SURGICAL ROBOT
ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:
ALL ACTIONS

Lead Case No: 3:21-CV-03825-AMO

**DECLARATION OF JEFFREY L.
SPECTOR PURSUANT TO COURT'S
AMENDED OMNIBUS SEALING ORDER
(DKT. 342)**

The Hon Araceli Martínez-Olguín

I, Jeffrey L. Spector, declare as follows:

1. I am a partner at Spector Roseman & Kodroff, P.C., and Co-Lead Counsel for the Plaintiffs in this matter. I make this declaration based on my personal knowledge pursuant to the Court's Order Regarding Omnibus Sealing Procedures (Dkt. 269), and the Court's Amended Omnibus Sealing Order (Dkt. 342) (the "Sealing Orders"). If called upon to do so, I will testify competently to the facts set forth herein.

2. I certify that the following Table of Attachments lists true and correct copies of all documents attached to this Declaration in support of Plaintiffs' Motion for Class Certification (Dkts. 267, 268-1), Plaintiffs' Reply in Support of Motion for Class Certification (Dkts. 296, 297-1), and Hospital Plaintiffs' Administrative Motion for Leave to File Response to Defendant Intuitive Surgical, Inc.'s Objection to Certain Class Certification Reply Evidence (Dkts. 300, 301-1) (collectively, "Plaintiffs' Class Pleadings"), in the above captioned matter.

3. The materials in the following Table of Attachments are being refiled in accordance with the Sealing Orders. The Table of Attachments specifies (a) which under seal document each Attachment is meant to replace, (b) where the original version of the under seal document can be found on the docket, and (c) whether the previously under seal document is being refiled with or without redactions.

TABLE OF ATTACHMENTS

Attachment No.	Docket No. of Public Version	Docket No. of Sealed Version	Document Title or Description	Redacted/Public
1	267	268-1	Plaintiffs' Notice of Motion for Class Certification and Memorandum of Points and Authorities	Redacted

Attachment No.	Docket No. of Public Version	Docket No. of Sealed Version	Document Title or Description	Redacted/Public
2	267-2	268-2	True and correct copy of the Class Certification Expert Report of Professor Einer Elhauge, June 6, 2024 (Dominguez Declaration – Ex. 1)	Redacted
3	267-3	268-3	True and correct copy of excerpts of the deposition of Glenn Vavoso, May 14, 2021 (Dominguez Declaration - Ex. 2)	Public
4	267-10	268-5	True and correct copy of the document bates stamped Intuitive-00019774 – Letter from Intuitive Surgical to Pacific Coast Surgical Center, May 7, 2019 (Dominguez Declaration - Ex. 9)	Public
5	267-11	268-6	True and correct copy of the document bates stamped Intuitive-00032950 – Letter from Intuitive Surgical to Baptist Health Medical Center Little Rock, May 7, 2019 (Dominguez Declaration - Ex. 10)	Public
6	267-19	268-7	True and correct copy of excerpts of the deposition of Marshall Mohr, November 7, 2022 (Dominguez Declaration - Ex. 18)	Public
7	267-24	268-8	True and correct copy of the document bates stamped Intuitive-00203904 – Email re: FW da Vinci documents, May 3, 2017 (Dominguez Declaration - Ex. 23)	Redacted
8	267-25	268-9	True and correct copy of the document bates stamped Intuitive-00279923 – Da Vinci Si Instrument & Accessory Catalog, February 2018 (Dominguez Declaration - Ex. 24)	Public

Attachment No.	Docket No. of Public Version	Docket No. of Sealed Version	Document Title or Description	Redacted/Public
9	267-26	268-10	True and correct copy of the document bates stamped Intuitive-00279958 – Da Vinci X and Da Vinci XI Instrument & Accessory Catalog, January 2018 (Dominguez Declaration - Ex. 25)	Public
10	296	297-1	Plaintiffs’ Reply in Support of Motion for Class Certification	Public
11	296-2	297-2	True and correct copy of the Corrected Class Certification Expert Report of Professor Einer Elhauge, July 13, 2024 (Glubiak Declaration - Ex. 1)	Redacted
12	296-3	297-3	True and correct copy of the Amended Expert Rebuttal Report of James W. Hughes, Ph.D., August 16, 2024 (Glubiak Declaration - Ex. 2)	Redacted
13	296-4	297-4	True and correct copy of the Class Certification Rebuttal Expert Report of Professor Einer Elhauge, October 8, 2024 (Glubiak Declaration - Ex. 3)	Redacted
14	296-5	297-5	True and correct copy of excerpts of the deposition of James W. Hughes, Ph.D., August 30, 2024 (Glubiak Declaration - Ex. 4)	Public
15	296-9	297-7	True and correct copy of excerpts of the deposition of Glenn Vavoso, May 14, 2021 (Glubiak Declaration - Ex. 8)	Public
16	301	300-1	Plaintiffs’ Motion for Leave to File Response to Intuitive’s Objection to Certain Class Certification Reply Evidence	Public

Attachment No.	Docket No. of Public Version	Docket No. of Sealed Version	Document Title or Description	Redacted/Public
17	301-1	300-2; 313	Plaintiffs' Response to Intuitive's Objection to Certain Class Certification Reply Evidence	Redacted
18	301-3	300-3	True and correct copy of excerpts of the deposition of Professor Einer Elhauge, dated July 24, 2024 (Corrigan Declaration - Ex. 1)	Public

Dated: June 24, 2025

Respectfully submitted,

/s/ Jeffrey L. Spector